June Term 1839

thereon in such manner and form as the said Stephen H. Gough above by pleading hath alleged and this he prays may be enquired of by the country and the said Stephen H. Gough in like manner and so forth: Whereupon for trying the issue aforesaid command is given to the sheriff of the County aforesaid that he cause to come before the Court here immediately twelve &c. by whom &c. and who neither &c. to recognize &c. because as well &c. and the said Stephen H. Gough by his attorney aforesaid relinquishing his averment aforesaid above by him pretended says that he cannot deny the action aforesaid of the said Thomas W. Gough so as aforesaid against him brought now but that he owes to the aforesaid Thomas W. Gough the aforesaid sum of two hundred and sixty nine dollars current money in such manner and form as the aforesaid Thomas W. Gough above against him hath complained now but that the aforesaid Thomas W. Gough hath sustained damage by reason of the detention of the debt aforesaid to the aforesaid sum of five hundred dollars current money in like manner and form as the aforesaid Thomas W. Gough within against him hath complained besides his costs and charges by him about his suit in this behalf laid out and expended &c. and hereupon the aforesaid Thomas W. Gough by his attorney aforesaid prays Judgment for his debt aforesaid so as aforesaid confessed together with his damages so as aforesaid acknowledged as also for his costs and charges by him about his suit in this behalf laid out and expended to him to be adjudged and so forth. Therefore it is considered by the Court here that the said Thomas W. Gough recover against the said Stephen H. Gough as well the said sum of two hundred and sixty nine dollars current money his debt aforesaid in form aforesaid confessed as the said sum of five hundred dollars current money his damages aforesaid acknowledged to be sustained by reason of the detention of the said debt as the sum of seven dollars and forty three and one third cents by the Court hereunto the said Thomas W. Gough on his assent adjudged for his costs and charges by him about his suit in this behalf laid out and expended and the aforesaid Stephen H. Gough in mercy and so forth.

Memorandum. Judgment was rendered in this cause on the fifth day of April in the year of our Lord one thousand eight hundred and thirty six for two hundred and sixty nine dollars current money debt and five hundred dollars current money damages and costs to be released on the payment of two hundred and sixty nine dollars with interest from the twenty fourth day of January eighteen hundred and thirty five til paid and costs payments if any to be allowed stay execution until the first Thursday in next Term.

Afterwards to wit on the thirty first day of January in the year of our Lord one thousand eight hundred and thirty seven the said Stephen H. Gough by virtue and in pursuance of the provisions of the act of Assembly in such case made and provided applys to and directs the clerk of Saint Mary's County Court to enter an appeal from the Judgment aforesaid so as aforesaid rendered to the Court of Appeals to be held for the western shore of the State of Maryland which is accordingly done whereupon the said Stephen H. Gough filed in the Office of the clerk of the said Court

June Term 1839

a certain writing obligatory commonly called an appeal bond which is in the words and of the tenor following to wit.

Know all men by these presents that we Stephen H. Gough Joseph Ford and William H. Dunkinson of Saint Marys County in the State of Maryland are held and firmly bound unto Thomas W. Gough of the County and State aforesaid in the full and just sum of two thousand dollars current money to be paid to the said Thomas W. Gough or to his certain attorney his executors administrators or assigns to which payment well and truly to be made we bind ourselves and every of us our and every of our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this thirty first day of January in the year of our Lord one thousand eight hundred and thirty seven Whereas at a County Court begun and held at Leonard Town in and for Saint Marys County on the first Monday of March in the year of our Lord one thousand eight hundred and thirty six the above named Thomas W. Gough by the Judgment of said Court recovered against the above bound Stephen H. Gough late of Saint Mary's County Yeoman as well the sum of two hundred and sixty nine dollars current money a certain debt as the sum of five hundred dollars for his damages which he had sustained by reason of the detention of that debt as also the sum of seven dollars and forty three and one third cents for his costs and charges by him about his suit in that behalf laid out and expended whereof the said Stephen H. Gough is convict as it appears of record from which said Judgment so as aforesaid rendered the said Stephen H. Gough hath prayed an appeal to the next Court of Appeals to be held for the western shore: Now the condition of the above obligation is such that if the said Stephen H. Gough shall not cause a transcript of the record and proceedings of the said Judgment to be transmitted to the Court of Appeals to be holden for the western shore within the time required by law and prosecute the said appeal with effect and also satisfy and pay to the said Thomas W. Gough his executors administrators or assigns in case the said Judgment shall be affirmed as well the debt damages and costs adjudged in the County Court aforesaid as also all damages and costs that may be awarded by the Court of Appeals aforesaid then the said bond to be and remain in full force and virtue otherwise to be of no effect.

Signed sealed and delivered in the presence of Wm. T. Maddox.

S. H. Gough (Seal)
Jo. Ford (Seal)
Wm. H. Dunkinson (Seal)

Which said bond and the securities therein are by the said Clerk approved of. It is thereupon ordered that a transcript of the record and proceedings in the plea aforesaid with all things thereunto relating be transmitted to the Court of Appeals to be held for the western shore of the State of Maryland and the same are transmitted accordingly.

Test. Jo. Harris. Clk.

Saint Marys County to wit: I hereby certify that the aforegoing is truly taken from the record of proceedings of Saint Mary's County Court. In Testimony whereof I have hereunto set my hand and affixed the seal of my office this tenth day of March in the year

(Seal)